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8 **United States District Court**  
9 **for the Central District of California**  
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11  
12 **Plaintiffs,**

13 **v.**

14  
15 **Defendants.**  
16

**CASE NO. CV**

**CIVIL COURT TRIAL ORDER**

17 The above matter is set for trial before the Honorable Audrey B. Collins, Courtroom  
18 680, Roybal Federal Building, 255 East Temple Street, Los Angeles, CA 90012.  
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20 **PRETRIAL AND TRIAL DATES**

21 1. The Court orders the following dates:

22 a. Cut-off date for filing motions to join other parties and amend the pleadings is

23 \_\_\_\_\_.

24 b. Discovery cut-off is \_\_\_\_\_.

25 c. Cut-off date for motions to be filed is Monday, \_\_\_\_\_.

26 d. Final Pretrial Conference is set for Monday, \_\_\_\_\_ at 10:00  
27 a.m.

28 e. Trial is set for Tuesday, \_\_\_\_\_ at 8:30 a.m.

## **DISCOVERY**

2. The Court has ordered the above cut-off date for discovery in this action. *The non-expert discovery cut-off date means the last day by which all depositions must be completed and responses to all previously served written discovery must be provided. It does not mean the last day to initiate discovery or to file a motion with the magistrate judge seeking to compel discovery.* A deposition commenced at least five (5) days before the cut-off date may continue beyond the cut-off date. Discovery should be kept to a minimum and focus only on issues genuinely in dispute. Counsel are expected to resolve substantially all discovery problems without the assistance of the court. If discovery disputes cannot be resolved, the court requires strict compliance with the requirements of Local Rule 37.

## **LAW AND MOTION**

3. The Court has ordered the above cut-off date for the filing of motions in this action. Counsel should provide conformed courtesy copies to chambers.

4. ***Counsel must comply with Local Rule 7, including Rule 7-3, Conference of Counsel Prior to Filing of Motions. See detailed discussion in court's Order Re Early Meeting and Mandatory Status Conference. Counsel should provide courtesy copies of all motions, oppositions, and replies in motion matters to Chambers. For security reasons, courtesy copies of filings should be removed from envelopes or folders before placing them in the chambers drop-box.***

5. When filing motions for summary judgment, the court encourages the moving party to provide more than the minimum twenty-one (21) day notice. The moving party should deliver to chambers a copy of a diskette in WordPerfect 9 format, containing the Statement of Uncontroverted Facts and Conclusions of Law.

1 6. If oral argument is not required, counsel will be advised the week before the hearing  
2 date. If oral argument is to be heard, a tentative ruling or an outline of issues on which  
3 argument should concentrate will generally be available 30 minutes before the time of  
4 hearing.

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6 **SETTLEMENT PROCEDURES**

7 7. As set forth in Local Rule 16-14, a settlement procedure is required in every case. A  
8 Notice of Settlement Procedure shall be filed not later than 14 days after entry of the  
9 Scheduling Order (L.R. 16-14.2). Counsel should become familiar with the options  
10 presented by Local Rule 16-14.4. Counsel are responsible for conducting settlement  
11 procedures no later than forty-five (45) days before the Pretrial Conference and shall submit  
12 with the proposed Pretrial Conference Order a status report detailing what procedure has  
13 been followed (L.R. 16-14.2).

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15 8. The undersigned will not conduct settlement conferences in non-jury cases which she  
16 is to try.

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18 9. Unless otherwise ordered by the judge or magistrate conducting a settlement  
19 conference, the parties shall follow the "Requirements for Settlement Procedures" set forth in  
20 Local Rule 16-14.5.

21  
22 10. If a settlement is reached, it shall be reported immediately to this court as required by  
23 Local Rule 16-14.17. In addition, the parties must file a Status Report re Settlement at the  
24 time that they lodge the Proposed Pre-Trial Conference Order, indicating whether they have  
25 conducted the Local Rule 16 Settlement Conference and/or what additional steps are being  
26 taken to achieve settlement.

1 **MOTIONS IN LIMINE**

2 11. Motions in limine on classes of evidence which are appropriate for preliminary rulings  
3 must be filed by the day of the pretrial conference and shall be treated as any other motion  
4 under the rules.  
5

6 **FINAL PRETRIAL CONFERENCE**

7 12. This case has been placed on calendar for a Final Pretrial Conference ("FPTC"), as  
8 stated above, pursuant to Fed. R. Civ. P. 16 and Local Rule 16, unless the FPTC is exempted  
9 pursuant to L.R. 16-11 or was expressly waived at the Pretrial/Scheduling Conference by the  
10 Court. Unless excused for good cause, each party appearing in this action shall be  
11 represented at the FPTC and all pretrial meetings by the attorney who is to have charge of  
12 the conduct of the trial on behalf of such party.  
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14 13. A continuance of the FPTC at counsel's request or stipulation is highly unlikely.  
15 Counsel should plan to do the necessary pretrial work on a schedule which will insure its  
16 completion with time to spare before the FPTC, and in accordance with Local Rule 16.  
17 Specifically, failure to complete discovery is not a ground for a continuance.  
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19 14. The Memoranda of Contentions of Fact and Law, Witness Lists, and Joint Exhibit  
20 Lists are due twenty-one (21) calendar days before the PTC. The proposed Final Pretrial  
21 Conference Order ("FPTCO") is to be lodged and served seven (7) days before the PTC. As  
22 required by Local Rule 16-6, the FPTCO should follow the format shown in Pretrial Form  
23 No. 1 set forth in Exhibit "A" to the Local Rules. Adherence to the time requirements is  
24 absolutely necessary for in-chambers preparation of the matter.  
25

26 15. At the FPTC, counsel should be prepared to discuss means of streamlining the trial,  
27 including, but not limited to: bifurcation, presentation of non-critical testimony by deposition  
28 excerpts, stipulations as to the content of testimony, and qualification of experts by admitted

1 resumes. In rare cases where the PTC is waived by the Court, counsel must follow Local  
2 Rule 16-10.

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4 **TRIAL PREPARATION FOR COURT TRIAL - FINDINGS OF FACT AND**  
5 **CONCLUSIONS OF LAW, EXHIBITS AND LISTS**

6 16. The court orders that counsel comply with the following in their preparation for trial:

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- 8 a. Counsel for each party shall lodge and serve proposed Findings of  
9 Fact and Conclusions of Law at least seven (7) days before trial.
  - 10 b. The parties shall be prepared to submit to the Court, and to  
11 exchange among themselves, supplemental findings of fact and  
12 conclusions of law during the course of the trial.
  - 13 c. Counsel are to prepare their exhibits for presentation at the trial  
14 by placing them in 3-hole notebooks which are tabbed down the  
15 side with the exhibit numbers. These notebooks are to be  
16 prepared in an original for the Clerk and two copies. The originals  
17 shall each be tagged with the appropriate exhibit tags in the upper  
18 or lower right-hand corner of the first page of each exhibit. Each  
19 notebook shall contain a list of each exhibit included. Counsel  
20 shall supply three extra copies of their individual or joint exhibit  
21 list and witness list to the Clerk at the trial. The exhibits are to be  
22 numbered in accordance with Local Rule 16-5.
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1 d. All counsel are to meet not later than ten (10) calendar days  
2 before trial and to stipulate as far as is possible to foundation,  
3 waiver of the best evidence rule, and which exhibits may be  
4 received into evidence at the start of trial. The exhibits to be so  
5 received will be noted on the extra copies of the exhibit lists.  
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7 Dated: \_\_\_\_\_  
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10 AUDREY B. COLLINS  
11 United States District Judge  
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